



National Farmers Union

**Presentation to the
House of Commons Subcommittee
on Food Safety**

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Introduction

The National Farmers Union (NFU) welcomes this opportunity to present its views on the issue of food safety to the House of Commons Subcommittee hearings.

The National Farmers Union is a non-partisan, nation-wide democratic organization made up of thousands of farm families from across Canada who produce a wide variety of commodities, including grains, livestock, fruits and vegetables. The NFU was founded in 1969 and chartered in 1970 under a Special Act of Parliament. Our mandate is to work for policies designed to:

1. raise net farm incomes from the marketplace;
2. promote a food system that is built on a foundation of financially-viable family farms which produce high-quality, healthy, safe food;
3. encourage environmentally-sensitive practices that will protect our precious soil, water and other natural resources; and
4. promote social and economic justice for food producers and all citizens.

Family farmers are committed to a food system that provides safe and healthy food to people in this country and abroad. Food production is more than a business to us. As stewards of the land and water, we take very seriously our responsibility to ensure that the food we produce nourishes this and future generations. We strive to ensure that the agronomic practices we use are safe and sustainable, and we welcome regulations which are designed to assist in helping us achieve those objectives. Indeed, the vast majority of our members voluntarily exceed regulatory expectations in their efforts to produce safe and healthy food.

However, farmers are one link in the food chain. The products of our labour and our land are destined to pass through many hands before they end up on consumers' dinner tables. The potential for problems in the food system increases with each step along that journey. The trend toward large-scale, highly-centralized processing and distribution of foodstuffs over long distances has accelerated the probability that when food-borne contamination is not detected at its source, the results are disastrous and widespread.

The tragic listeriosis outbreak which occurred in 2008 as a result of unsafe processing facilities at the Maple Leaf plant in Toronto profoundly shook the trust that, until that time, Canadians had in their food system.

NFU Policy on food safety

The National Farmers Union is a strong advocate of regulatory measures that put protection of the public at the top of the priority list. The NFU is strongly opposed to self-policing by food processing companies. In 1998, delegates to the NFU national convention adopted resolutions calling on the federal government to reverse the decision to cut back on food safety inspections. They also urged that a full review of the federal food inspection system be carried out, with an emphasis on ways of strengthening consumer protection. Eleven years after that resolution was passed, we are glad to see this Parliamentary subcommittee finally taking on the task of critically examining the food inspection system in Canada.

At the most recent NFU national convention in November, 2008, delegates adopted the following resolution:

WHEREAS due to apparent cutbacks, it appears new regulations, adopted by the federal Ministry of Agriculture on April 1, 2008, no longer require food inspectors at meat packing and processing plants to immediately report listeria contamination directly to the Canadian Food Inspection Agency (CFIA), which would have followed up by a full clean-up by the CFIA of the affected plant. Instead, the new regulation required the plant inspectors to submit written reports to the CFIA inspectors twice a month and apparently there was no requirement that serious listeria contamination be flagged in these reports.

THEREFORE BE IT RESOLVED that the National Farmers Union investigate the validity of the changes made to the CFIA as of April 1, 2008. And if these changes and cutbacks did occur, the NFU must immediately lobby the Federal Ministry of Agriculture and Food and the CFIA requesting:

- a. the plant inspection and testing be carried out by qualified CFIA inspectors, and***
- b. that the original number of paid government inspectors at meat packing and processing plants be also reinstated.***

The Canadian public itself does not want industry to police itself. A poll conducted by Nanos released May 20, 2009, showed that 70% of Canadians believe Ottawa should invest more resources and be more hands-on in policing the safety of food. Only 4% of Canadians have a high level of trust in food companies to assess themselves when it comes to compliance with safety rules. The survey also found that 64% of Canadians either blame the government for turning over critical inspection duties to industry, or business for cutting corners with food safety to save money. Clearly, Canadians believe the listeriosis outbreak, which killed 22 people, could have, and should have, been prevented.

The NFU is in full agreement with the majority of Canadians. The NFU policy on food safety advocates public inspection: ***“Food must be adequately tested, regulated, and inspected. These***

critical tasks must be performed by a sufficient number of adequately-funded, independent, publicly-paid inspectors.”¹

The consequences of deregulation of the food inspection system

The collapse of the financial system that devastated the economies of most of the world has also destroyed the faith of many people in the so-called benefits of the “free market” and deregulation.

Likewise, the listeriosis tragedy has fundamentally shattered the notion that food processing companies will put the interests of their customers ahead of their bottom line. The listeriosis tragedy is the direct result of policies that have gradually undermined the regulatory framework over the past two decades. In the 1990s, the federal government initiated proposals to deregulate inspection services in the food sector. These measures reflected the ideological bias of policy-makers who favoured a “risk-management” model rather than one based on the “precautionary principle.” The precautionary approach basically says that, in the face of scientific uncertainty, we should err on the side of caution with respect to health, safety and the environment. The risk management model demands evidence of great harm before regulations can be put into effect. The risk management approach also places the burden of proof on the regulator, even though it may take decades for evidence to accumulate.²

The process of deregulating Canada’s food inspection, and moving to a system of self-policing by food processing companies, has clearly placed consumers at risk. Over the years, there has been a gradual “handing off” of food safety oversight to the processing companies themselves, and the role and authority of the inspectors employed by the Canadian Food Inspection Agency (CFIA) has been reduced dramatically.

The CFIA has had its budget cut over the years and public food inspectors have seen their workload increase. Prior to 1999, the CFIA conducted full-system audits on an annual basis. Prior to the introduction of the HACCP system in November, 2005, sanitation inspections on plant floors were conducted by CFIA inspectors, and often resulted in orders to disassemble slicing equipment that was discovered to be contaminated with harmful bacteria.

The Harper government made plans in May, 2008, prior to the listeriosis outbreak, to deregulate provincial meat inspection programs in Manitoba, Saskatchewan and British Columbia. A document dated May 6, 2008, revealed a secret Treasury Board of Canada decision that documented the acceptance of a proposal to eliminate federal delivery of provincial meat inspection programs in those provinces. Under the Treasury Board plan, meat produced in provincially registered facilities in the affected provinces would not be inspected by anyone.³ It is just one example of how inspection services were being cut back at a time when they should be expanded.

¹ National Farmers Union Policy Statement, updated November 2007

² Marc Lee and Bruce Campbell, “Putting Canadians at Risk: How the federal government’s deregulation agenda threatens health and environmental standards”, Canadian Centre for Policy Alternatives, September, 2006.

³ Agriculture Union – PSAC press release, September 18, 2008: “Conservatives to kill meat inspection in Manitoba. www.foodsafetyfirst.ca

Before 2008, federally registered meat establishments were required to comply with an annual mandatory “Full Systems Audit” conducted by the CFIA. However, a shortage of inspectors at the CFIA qualified to conduct these audits meant they did not happen as often as required. The Harper government further sabotaged these audits in April 2008, when it implemented the Compliance Verification System (CVS).⁴ The CVS shifted the CFIA inspectors’ role increasingly off the plant floor and toward auditing paperwork.⁵

As Bob Kingston, President of the Agriculture Union of the Public Service Alliance of Canada pointed out in his remarks to this committee recently, the importance of those audits by CFIA inspectors cannot be over-emphasized. The Maple Leaf plant which was the source of the listeriosis outbreak in the summer of 2008, was not subject to a Full Systems Audit for at least a year prior to the outbreak.

With over 800 federally-inspected meat plants across Canada, and with only 1100 fully-qualified process food inspectors and 230 meat hygiene veterinarians currently on staff, CFIA inspectors are stretched to the point where it is impossible for them to adequately monitor the facilities they are responsible for.⁶ Inspectors responsible for more than two Ready-to-Eat (RTE) meat plants do not have enough time to verify that a RTE facility is complying with food safety requirements. In spite of this, most RTE inspectors are responsible for three or more facilities. The inspector at the contaminated Maple Leaf plant in Toronto was responsible for seven facilities at the time of the listeriosis outbreak. CFIA management admitted this was the case in a secret document dated January 26, 2009, which stated the inspection program was “experiencing workload challenges in meeting delivery requirements.”

The union representing CFIA inspectors revealed recently that staffing levels are well below minimum levels required to properly conduct inspections in meat plants in Canada. There is, in fact, a critical shortage of inspectors. On average, inspectors are responsible for five facilities, making it physically impossible for them to verify if processors are following safety rules.⁷

It would be a grave error to continue with the policy of industry self-policing. The reality is that it is necessary to increase the staffing levels and authority of CFIA inspectors to ensure compliance by private companies with safety rules. In order to verify that companies like Maple Leaf are not cutting corners at the expense of Canadian consumers, the CFIA needs inspectors on the plant floor doing visual inspections of conditions that may lead to contamination, and physically confirming that all the safety protocols and requirements are being respected. Under

⁴ Bob Kingston, President of the Agriculture Union, Public Service Alliance of Canada, “Briefing Note to Members of the Sub-Committee on Food Safety”, April 17, 2009.

⁵ “CVS is a new protocol which gives more self-policing powers to the industry and has emboldened some companies to deny access to inspectors, preventing them from doing their jobs. Lack of training of inspectors in CVS will only magnify these and other problems.” Statement by Bob Kingston, in a press release from the Agriculture Union – Public Service Alliance of Canada, dated December 12, 2008, entitled “CFIA spending freeze compromises food safety.” www.foodsafetyfirst.ca

⁶ www.foodsafetyfirst.ca

⁷ “Meat safety inspection spread too thin”, May 25, 2009 press release, Agriculture Union, PSAC. www.foodsafetyfirst.ca

the current system, simply having CFIA inspectors rely on documents tells them only that the company knows how to complete paperwork.

Deregulation of grain inspection

The same process of deregulation that has devastated the meat industry is also underway in the grain sector. The Canadian Grain Commission (CGC) is under constant pressure to cut back services and move to a system of self-policing. The elimination of Kernel Visual Distinguishability (KVD) inspection for wheat classes will increase the liability for farmers and place Canada's reputation for high-quality grain exports at risk.

The potential for unintentional mixing of grain varieties is further aggravated by the removal of the Kernel Visual Distinguishability (KVD) system and the subsequent introduction of a system that relies on variety declaration affidavits. The loss of the KVD system occurred on August 1, 2008. This move by the federal government carries severe ramifications for producers. Many of these ramifications will only become evident in the coming months and years as Canada's grain quality control measures are eroded and undermined. The loss of the KVD system means that producers will likely be held liable for unknowingly misrepresenting a variety that may eventually contaminate a shipment. The only protection farmers may have under this scenario is to ensure they retain a sample obtained on their farm by a licensed inspector. Farmers may also be at risk financially if they buy a variety that is misrepresented by a seller, and consequently suffer lower yield and/or quality.

The elimination of grain inspection positions at the CGC and the contracting of these responsibilities to the private sector will increase the risks for producers. The CGC is moving steadily toward eliminating inward inspection and weighing of grain, which will have far-reaching negative implications for the farmers of Manitoba and indeed, all of western Canada.

Inward inspection ensures that:

- The identity of the grain is established before co-mingling;
- The identity of the grain is preserved so that the sample will be available to resolve disputes or facilitate the appeal process;
- Substantive and valuable statistical information is available to: a) establish the basis for warehouse receipts; b) identify current stock positions; c) facilitate future audit processes; and d) predict cargo quality prior to shipment;
- Grain is collected to allow for future reviews of grain grades and specifications;
- The final grade assigned by the CGC can be checked against the grade initially assigned by the elevator manager to ensure consistency in accuracy, and to reduce the incidence of penalties imposed by the Canadian Wheat Board (CWB) for "missed grades";
- The presence of illegal or ineligible varieties is detected before these varieties enter the system;
- CGC-approved automatic sampling systems are monitored; and
- Railway freight rates are based on CGC-monitored weights.

These benefits are of primary importance to farmers, who understand the importance of a strong CGC which operates on their behalf. Mandatory, immediate, and on-site inward inspection by CGC inspectors provides substantial benefits to the system. It allows inspectors to "catch"

contaminated, off-condition or incorrectly-represented carloads while they are being emptied, weighed, and elevated, and before they are mixed with large quantities of other grain. Even if contaminated or off-spec grain is binned, current inward inspection procedures allow problems to be spotted and isolated almost immediately. If a shipment of grain is contaminated due to the loss of inward inspection, it is highly likely that farmers will end up paying the financial penalty.

This situation will be aggravated by another recent move by the CGC to further reduce farmers' access to on-site inspection services. CGC service centres in Brandon, Moose Jaw and Melville – which all offered on-site inspections - will be closed. The services currently offered at those centres will be relocated to Saskatoon, Calgary, Weyburn, and Winnipeg. The CGC will no longer provide official grading and weighing of grain shipments from the Prairies to terminal facilities, nor for export shipments to the United States or domestic mills. The on-site inspection service centres were originally established to allow farmers to take a representative sample of their grain to a centre in their area and have it evaluated as to grade, protein content, dockage and other factors. If the sample was representative, farmers would then have a clear understanding of what they were delivering instead of relying strictly on the assessment given to them by the elevator. In the event of a discrepancy, the farmer could ask for the grain to be delivered “subject to inspectors' grade and dockage.” Unfortunately, few farmers took advantage of the services offered by the centres because they were unaware of how the system worked. This fact, combined with the CGC's long-range strategy of underfunding and downsizing inspection services, is now being used to justify the decision to make inspection services more difficult to access.

Conclusion and Recommendations

The deregulation of the food inspection system jeopardizes the health and safety of consumers in Canada and abroad. Self-policing by food processing companies is not in the best interests of farmers, workers, or consumers. ***The NFU, therefore, recommends that the Government of Canada strengthen public food inspection protocols and standards to ensure that large companies do not sacrifice safety in order to maximize profits.***

The NFU also strongly endorses the recommendations put forward by the Food Safety First campaign, which is calling on the federal government to implement the following measures:

- 1. Hire 1000 additional inspectors and veterinarians to improve compliance. The current staff levels at the CFIA are too low to allow food inspectors to properly do their jobs.***
- 2. Place an immediate moratorium on industry self-policing policies. Meat inspectors are currently directly supervising from the plant floor only 25% of the time. The majority of their time is spent reviewing company-generated reports. Under the CVS system, inspectors are supposed to spend 50% of their time directly supervising from the plant floor.***
- 3. Remove obstacles preventing CFIA inspectors and vets from taking immediate action. CFIA inspectors are discouraged from taking immediate action when serious health problems arise. Instead, they are strongly encouraged to give the offending company a “Corrective Action Request” which states the nature***

of the problem and gives the company up to 60 days to address it. The theory of immediate action on the part of inspectors becomes more remote because under the CVS system, inspectors spend 75% of their time at the plant reviewing company-generated reports, instead of inspecting facilities.

- 4. Restore the system of public audit reports which were cancelled under pressure from the meat industry. Pressure from the Canadian Meat Council resulted in the cancellation of a program that had been in place for 20 years, where government inspectors reported and ranked the meat processing facilities they inspected. This audit system must be restored.⁸*

All of which is respectfully submitted

By the

National Farmers Union

⁸ www.foodsafetyfirst.ca “The Commitment”